

CHAPTER 11 CEMETERY REGULATIONS

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8-11-1: **CEMETERIES UNDER CONTROL OF CITY:** The cemetery lying within the City, known as Rosehill Cemetery, and the cemetery lying within the City, known as Fielding Memorial Park, shall be under the direct supervision and control of the City.

8-11-2: **TITLE TO CEMETERY LAND:** The title to all land located within Rosehill Cemetery and Fielding Memorial Park, not heretofore transferred or conveyed by deed or certificate, shall vest in the City, and shall be transferred by a certificate executed by the Mayor and Clerk under the seal of said City. Such certificate shall vest title to the lots so conveyed or transferred to the purchaser, his heirs and assigns, in fee simple, for burial purposes only subject to such conditions as may be imposed or prescribed by the City.

8-11-3: **TRANSFER OF LOT BY OWNER; TRANSFER FEE:** A cemetery lot may be transferred from one person to another by surrendering the original certificate to the Clerk, and requesting the clerk to issue a new certificate to the new owner. The Clerk shall issue a new certificate upon the payment of a fee as set from time to time by Resolution of the Council and upon execution by the original owner or owners of an assignment of such certificate. (Ord. 2964, 8-14-14)

8-11-4: **ISSUANCE OF CERTIFICATE BY CLERK:** Persons desiring to purchase a lot in either of said cemeteries shall make application to the Clerk. Upon receipt of the application and payment of the purchase price determined by resolution of the City Council, the City Clerk shall execute and deliver to the applicant a certificate evidencing the applicant's ownership

thereof. In the event a certificate is lost or destroyed, the Clerk may, upon sworn proof of ownership, issue a new certificate upon payment of a fee in an amount set from time to time by Resolution of the Council. (Ord. 2964, 8-14-14)

8-11-5: CEMETERY FUNDS: All moneys received by the Clerk shall be delivered forthwith to the City Treasurer who shall immediately deposit the same.

8-11-6: SEXTON'S FEES; BURIAL RECORD: Any owner of a burial plot desiring an interment in either cemetery shall apply to the Clerk. Upon payment of the Sexton's fees hereinafter set forth, the Clerk shall give the applicant a certificate stating the name of the deceased and the location of the burial plot where the deceased is to be interred. The Clerk shall also enter in the book to be known as "The Burial Record" the name of the deceased, the date of his or her death, the cause or manner of death, if known, and age of the deceased.

8-11-7: DEPTH OF GRAVE: Every grave shall be at least six feet (6') deep measured from the surface of the ground to the bottom surface of the grave.

8-11-8: DUTIES OF SEXTON: The Sexton shall dig or cause to be dug graves for interment of bodies in either of the City cemeteries; provided, if the person making application for interment desires to dig the grave, the Sexton shall supervise such excavation and the location thereof. The Sexton shall fill all graves where interments are made, trim any grass, trees or shrubbery thereon and keep all graves in an attractive condition. The Sexton shall care for all ground and tombstones in the City cemeteries. The Sexton shall not permit internment of anybody without delivery of a Clerk's Certificate under Section 8-11-6 hereof by the person requesting such internment.

8-11-9: CEMETERY OWNERSHIP RECORD: The Clerk shall keep a record of the ownership of all lots located within the City cemeteries. Such record shall state the name and address of the owner, the purchase price paid for the lot or lots and the date of sale.

8-11-10: MONUMENTS: The owner of any lot in which a deceased person is interred shall install a permanent monument or plaque at the head of such grave with the name of the deceased plainly inscribed thereon. If the owner neglects or fails to install such monument or plaque within six (6) months from the date of burial, the Sexton shall place a monument or plaque at the head of the grave at the expense of the owner of said plot.

8-11-11: RESTRICTION ON MARKING GRAVES: No person shall erect any monument, headstone, or grave marker above the surface of the ground within the following sections of Fielding Memorial Park Cemetery: Wasatch Lawn, Sunset, Roselawn, Forest Lawn, Pinehurst, Parkhurst, Valley View, Nauvoo Lawn, LaCresta, Whispering Hope, Cloverdale, Willowlawn, Comorah, Restlawn and Memory Lane. (Ord. 2230, 5-22-97; Ord. 2638, 4-13-06)

8-11-12: IMPROVEMENT OF CEMETERY LOTS: No person shall erect or maintain any fence, corner post, coping, wall, hedge or boundary of any kind upon any grave or lot in a City cemetery. No trees or shrubs shall be planted in Rose Hill Cemetery or Fielding Memorial

Park Cemetery without permission from the Sexton or superintendent. No person shall grade the ground or land above any grave, lot or lots in said cemeteries, or build any tomb or mausoleum upon the same, except under the supervision of the Sexton. The Sexton shall, whenever requested, furnish the true lines of said lots according to the official survey and shall prevent and prohibit the marking of the same in any manner prohibited by this Chapter and shall prevent any grading in a manner which destroys the symmetry of the land. The Sexton shall, under the direction of the Mayor and Council, have general care of and make general improvements of all lots in said cemeteries. (Ord. 2230, 5-22-97)

8-11-13: **CHARGES AND FEES:** The fees for burial spaces and Sexton services within Rose Hill Cemetery and Fielding Memorial Park Cemetery shall be set by Resolution by the City Council. (Ord. 2230, 5-22-97) (Ord. 2444, 4-11-02; Ord. 2508, 9-11-03; Ord. 2619, 9-8-05; Ord. 2664, 09-14-06; Ord. 2885, 10-27-11))

8-11-14: **WOODEN CASKETS PROHIBITED:** Wooden caskets shall not be used for burial of anybody within any City cemetery.

8-11-15: **BURIALS PROHIBITED ON CERTAIN DAYS:** Burials are prohibited within the City cemeteries on any legal holiday except Washington's Birthday, Veteran's Day, Idaho Human Rights Day or Columbus Day.

8-11-16: **CREMATION BURIALS:** No cremation interment shall be allowed in a traditional burial space after June 1, 1997, unless other cremains have been interred prior to such date within any burial space located within the lot in which such interment is requested.

8-11-17: **RESTRICTION OF USE OF GRAVE SITE:** In Rose Hill Cemetery and Fielding Memorial Park Cemetery no more than one (1) remains or cremains shall be allowed to be buried in a burial space.